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SUBJECT: FMLN CRITICIZES SALVADORAN ELECTORAL SYSTEM

¶1. (U) Summary: The Farabundo Marti Front for the National Liberation (FMLN) hosted representatives from the diplomatic community to hear its perspective and analysis ahead of the 2009 legislative and presidential elections. The FMLN criticized the government's failure to carry out OAS recommendations for electoral reform. End Summary.

#### FMLN QUESTIONS ELECTORAL SYSTEM'S INTEGRITY

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¶2. (U) On June 4, the Farabundo Marti Front for the National Liberation (FMLN) invited members of the diplomatic community to a briefing in which party representatives criticized the government's failure to implement recommendations for electoral reform published by the Organization of American States (OAS) in December 2007, and expressed concern regarding the fairness of the upcoming 2009 legislative, municipal and presidential elections. The event was led by Blanca Flor America Bonilla, FMLN Deputy in the Legislative Assembly; Eugenio Chicas Martinez, FMLN representative on the Supreme Electoral Tribunal (TSE); and Sigfrido Reyes, FMLN Director of International Relations and National Assembly Deputy. Ambassadors or representatives from Spain, Italy, Germany, the Vatican, Taiwan, Nicaragua, Canada, Chile, Brazil, Mexico, Ecuador, Dominican Republic and Guatemala attended.

¶3. (U) Reyes claimed that the Saca administration and the ruling Nationalist Republican Alliance party (ARENA) had politicized government agencies, including the Attorney General's Office, and had failed to implement the OAS's recommendations. He characterized the electoral process as unfair due to the lack of financial disclosure laws. Reyes stated that FMLN would not unilaterally disclose its party financing due to a fear of retaliation against supporters. Chicas asserted that, at present, the current government has not implemented OAS recommendations for improving voter registration.

#### CENSUS INFORMATION AND ELECTORAL LAW

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¶4. (U) The Salvadoran Constitution requires proportional representation in the Salvadoran Legislative Assembly. Chicas called for an amendment to the Salvadoran Electoral Code to reflect the demographic changes identified in the latest census. However, Chicas stated that election laws should not be changed in the run-up to the 2009 elections.

#### BACKGROUND ON OAS REPORT

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¶5. (U) In December 2007, the OAS issued a report validating the Salvadoran electoral registry, but recommended reforms to be implemented between January and June 2008 in anticipation of the 2009 elections. The Salvadoran electoral registry

compiles information from the National Registry of Natural Persons, containing the identities of Salvadorans aged 18 (the age of suffrage) and older. It also incorporated data regarding births and deaths submitted by El Salvador's 262 municipalities, and information from the courts pertaining to criminals whose penalties prohibit them from voting.

¶16. (U) The OAS concluded that most of the irregularities stem from the lack of enforcement of current laws. Therefore, the OAS recommended standardizing procedures in the 262 municipalities in coordinating with the National Registry of Natural Persons to fulfill reporting requirements. It also recommended simplifying and standardizing procedures in the TSE database as well as the National Registry of Natural Persons. Additionally, the OAS recommended auditing the TSE for better control of the creation processing of the National Electoral Registry.

¶17. (SBU) Comment: As the OAS report demonstrated, the Salvadoran electoral registry has deficiencies. However, time is short to make serious change and there is no information to suggest that the current weaknesses favor any one political party. The TSE has representation of three political parties, including both the FMLN and ARENA. Nonetheless, we believe the FMLN, by expressing concerns now, is also laying the groundwork to cry foul should it lose a close election. The FMLN presentation highlights the need for good international observation to ensure the credibility of the process with the parties and the citizenry in the event of a close result. Note: USAID plans to fund the National Democratic Institute to carry out systemic electoral observation, as well as a candidate training program to be carried out by the International Republican Institute. End Comment.  
GLAZER